

I wish to express my admiration for the bravery that Kyshaune Lindsay displayed through his actions—an admiration that is shared not only by Marcos Marquez and his family but by the entire Phoenix community. I am confident that Kyshaune will continue to do great things in the future. He is truly a role model for people of all ages.

#### PERSONAL EXPLANATION

### HON. JOSH GOTTHEIMER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2020*

Mr. GOTTHEIMER. Madam Speaker, unfortunately, I was unavoidably detained from the floor on Tuesday, January 7, 2020. I missed roll call vote No. 01. Had I been present to answer roll call No. 01, I would have answered "PRESENT".

#### INTRODUCTION OF A BILL TO CLARIFY CERTAIN DUE PROCESS RIGHTS OF FEDERAL EMPLOYEES SERVING IN SENSITIVE POSITIONS

### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2020*

Ms. NORTON. Madam Speaker, today, as hundreds of thousands of our federal workers face uncertainty in wages and work, I introduce a bill to clarify certain due process rights of federal employees serving in sensitive positions. This bill would overturn an unprecedented federal court decision, *Kaplan v. Conyers and MSPB*, which stripped many federal employees of the right to independent review of an agency decision removing them from jobs on grounds of ineligibility. The case was brought by two Department of Defense (DOD) employees, Rhonda Conyers, an accounting technician, and Devon Northover, a commissary management specialist, who were permanently demoted and suspended from their jobs after they were found to be no longer eligible to serve in noncritical sensitive positions. In 2014, the Supreme Court declined to hear the case, which allowed the decision to stand. This bill is cosponsored by Representative ANDRE CARSON.

Specifically, the decision prevents federal workers who are designated as "noncritical sensitive" from appealing to the Merit Systems Protection Board (MSPB) if they are removed from their jobs. Noncritical sensitive jobs include those that do not have access to classified information. The decision would affect at least 200,000 DOD employees who are designated as noncritical sensitive. Even more seriously, most federal employees could potentially lose the same right to an independent review of an agency's decision because of a rule by the Office of Personnel Management (OPM) and the Office of the Director of National Intelligence (ODNI), which went into effect in July 2015, that permits agency heads to designate most jobs in the federal government as noncritical sensitive.

The Kaplan decision undercuts Title 5, section 7701 of the Civil Service Act, which en-

forces due process rights for federal workers required by the U.S. Constitution. Stripping employees whose work does not involve classified matters of the right of review of an agency decision that removes them from their jobs opens entirely new avenues for unreviewable, arbitrary action or retaliation by an agency head and, in addition, makes a mockery of whistleblower protections enacted in the 112th Congress. Our bill would stop the use of "national security" to repeal a vital component of civil service protection and of due process.

I urge my colleagues to support this bill.

#### PERSONAL EXPLANATION

### HON. ILHAN OMAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2020*

Ms. OMAR. Madam Speaker, had I been present, I would have voted YEA on Roll Call No. 692 and NAY on Roll Call No. 691.

#### PERSONAL EXPLANATION

### HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2020*

Mr. KING of Iowa. Madam Speaker, I was unable to vote on Roll Call Vote No. 174 at the end of the series on May 1, 2019. Had I been present, I would have voted as follows: NO on Roll Call No. 174.

#### HONORING ALAN TANDY ON HIS RETIREMENT AS CITY MANAGER OF BAKERSFIELD

### HON. KEVIN MCCARTHY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2020*

Mr. MCCARTHY. Madam Speaker, I rise today to honor Alan Tandy, a constituent and the long-time City Manager of the City of Bakersfield, California, which I represent. Alan is retiring from his current position after 27 years of dedicated service to our community.

Alan earned his Bachelor of Arts in Political Science from the University of Oregon and received a Master of Arts in Municipal Administration from the University of Iowa. Before starting his tenure at the City of Bakersfield, Alan balanced budgets and learned best government practices in Montana, Wyoming, and Ohio. Alan is Bakersfield's longest-serving city manager and has been an integral part of numerous city projects.

Some notable projects during Alan's tenure include construction of the Rabobank Arena and Convention Center and the adjoining Marriott Hotel, the McMurtrey Aquatic Center, and the Park at River Walk. Alan was always enthusiastic about his work and did what was in the best interest for the people of Bakersfield. His love for our city remains apparent; in the wake of his retirement, he ensured the projects he had helped plan were completed before stepping down. The Thomas Roads Im-

provement Program, a \$1.4 billion collaborative project to improve transportation throughout Bakersfield will streamline transportation with new highways and bridges.

During his tenure, Bakersfield transformed into one of the fastest growing cities in California and Alan's legacy of improving infrastructure and quality of life is visible in every part of Bakersfield. Alan's work as City Manager has earned him impressive awards and accolades, including the Distinguished Budget Presentation Award from the Government Finance Officers Association for 19 years.

After years of service to our community, Alan's retirement is well-deserved and I know he is looking forward to spending more time with his wife, Kathleen, their children, Sarah, Jared, and Krista, as he begins this new chapter in his life. However, if I know Alan, I know that he will remain an active member of the Bakersfield community. On behalf of the 23rd Congressional District of California, I want to thank Alan for all his hard work and dedication over the past 27 years to helping make Bakersfield the city it is today.

#### HONORING NICHOLAS JAMES STEINKAMP

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2020*

Mr. GRAVES of Missouri. Madam Speaker, I proudly pause to recognize Nicholas James Steinkamp. Nicholas is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 288, and earning the most prestigious award of Eagle Scout.

Nicholas has been very active with his troop, participating in many scout activities. Over the many years Nicholas has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Nicholas has contributed to his community through his Eagle Scout project.

Madam Speaker, I proudly ask you to join me in commending Nicholas James Steinkamp for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

#### HONORING MS. ANITA BOURN FOR 30 YEARS AS A CONGRESSIONAL STAFFER

### HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 8, 2020*

Mr. PALAZZO. Madam Speaker, I rise today to recognize one of my very own, Ms. Anita Faye Bourn, for thirty years of dedicated service as a congressional staffer. Anita's career with the U.S. House of Representatives began in 1989 when my predecessor, Gene Taylor, won the special election. Anita was hired on as a secretary, but quickly found her niche through constituent services. When I first took office in 2010, I had the opportunity to carry